

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BALBIR SINGH,

Plaintiff,

v.

MGI PHARMA, INC., and  
MGI PHARMA BIOLOGICS, f/k/a,  
ZYCOS, INC.,

Defendants.

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U.S. DISTRICT COURT  
DISTRICT OF MASS.  
Civil Action No. 05 1167 1 GAO

**DEFENDANT MGI PHARMA BIOLOGICS, INC.'S LOCAL RULE 7.1(A)(2)  
CERTIFICATION TO ITS MOTION FOR LEAVE TO REPLY TO PLAINTIFF'S  
OPPOSITION TO DEFENDANT MGI PHARMA BIOLOGICS' MOTION TO DISMISS**

**Local Rule 7.1(A)(2) Certification**

On November 14, 2005, defendant MGI Pharma Biologics, Inc. ("Pharma Biologics") filed its motion for leave to submit a reply brief in support of its *Motion to Dismiss Counts IV and V of Plaintiff's Complaint*. The motion for leave did not contain a Local Rule 7.1(A)(2) certification. Plaintiff has filed an opposition to that motion. Pharma Biologics has conferred with plaintiff's counsel, who confirm that they continue to oppose the motion to dismiss and do not consent to Pharma Biologics' filing of a reply brief.

MGI PHARMA BIOLOGICS, INC.

By its attorneys,



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-and-

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Counsel for Defendant  
MGI Pharma Biologics, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a true copy of the foregoing document on the attorney of record for each other party by mail.

  
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Donald R. Pinto, Jr.

Dated: November 17, 2005